

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

MOTION OF DEFENDANT UMB BANK, N.A. FOR SUMMARY JUDGMENT

COMES NOW defendant UMB Bank, n.a. and moves the Court to enter summary judgment for this defendant on the remaining claims against it as set forth in Counts III, IV, and V of plaintiffs' First Amended Complaint. As explained more fully in this defendant's accompanying suggestions, there are no genuine issues of material fact in dispute, and this defendant is entitled to summary judgment as a matter of law.

WHEREFORE, defendant UMB Bank, n.a. moves this Court for an Order granting summary judgment to this defendant on all of plaintiffs' remaining claims against it.

Respectfully submitted,

SPENCER FANE BRITT & BROWNE LLP

By:/s **Gardiner B. Davis**
Gardiner B. Davis, #29127
1000 Walnut Street, Suite 1400
Kansas City, MO 64106
(816) 474-8100
(816) 474-3216 (facsimile)
gDavis@spencerfane.com
Attorneys for Defendant UMB Bank, n.a.

WA 2480022.1

Certificate of Service

I hereby certify that on September 21, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all counsel of record, and I further sent a copy by mail to:

Jeff Collins
11808 Gillette
Overland Park, KS 66210

/s Gardiner B. Davis

Attorney for Defendant UMB Bank, n.a.